



HH
Section 8

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Norris, et al
SERIAL NO.: 09/981,331
FILED: October 16, 2001
FOR: SONIC EMITTER WITH FOAM
STATOR
ART UNIT: 2643
EXAMINER:
DOCKET NO.: T6446.CIP2

**CERTIFICATE OF DEPOSIT
UNDER 37 C.F.R. 1.8**

DATE OF DEPOSIT: _____
I hereby certify that this paper or fee
is being deposited with the United States
Postal Service under 37 C.F.R. § 1.8 on
the date indicated above and is addressed
to: Box Missing Parts, Assistant
Commissioner for Patents, Washington,
DC 20231.

Steve M. Perry
Steve M. Perry
Dated: 12/28/01

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
PATENT APPLICATION Filing Date Granted

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed October 31, 2001,
please find enclosed herewith the following items for filing in the United States Patent and
Trademark Office in connection with the above-identified patent application:

- X An Assignment from the inventors to American Technology Corporation;
- X A Verified Statement Claiming Small Entity Status signed by an officer of
American Technology Corporation;
- X A copy of the Notice to File Missing Parts of Application Filing Date Granted;
- X Combined inventor Declaration and Petition;
- X Power of Attorney;

____ Prior Art Statement, Form PTO-1449, and copies of cited prior art;

☒ Check in the amount of \$991 to cover the filing fee for the above-identified application, the recordation fee for the enclosed patent assignment, and the surcharge fee pursuant to 37 C.F.R. § 1.16(e). These fees have been calculated as follows:

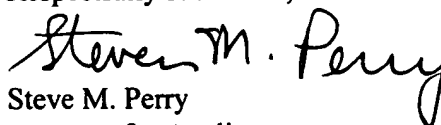
| | | | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|-------------------------------------|-----------|-----------|--------------|-------|---------------------------|-------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE | RATE | FEE |
| BASIC FEE | | | | \$370 | | \$740 |
| TOT. CLAIMS | 40-20 = | 20 | x 9 = | \$180 | x 18 = | \$ |
| IND. CLAIMS | 11-03 = | 8 | x 42 = | \$336 | x 84 = | \$ |
| MULTIPLE DEPENDENT CLAIMS PRESENTED | | | \$280 | | \$280 | |
| ASSIGNMENT FILING FEE | | | \$ 40 | \$ 40 | \$ 40 | |
| SURCHARGE FEE | | | | \$ 65 | | |
| | | | TOTAL | \$991 | TOTAL | |

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 28th day of December, 2001.

Respectfully submitted,



Steve M. Perry
Attorney for Applicant
Registration No. 45,357
THORPE, NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone (801) 566-6633

SMP:vad

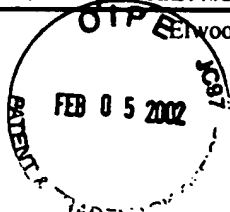
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/981,331 | 10/16/2001 | Elwood G. Norris | 76446-CJP2 |

Vaughn W. North
THORPE, NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, UT 84091-1219

CONFIRMATION NO. 4982

FORMALITIES LETTER



OC000000007001443

Date Mailed: 10/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1032.
 - \$360 for 20 total claims over 20.
 - \$672 for 8 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1902.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKETED

Description Due Date Initials

Missing Parts 12/31/01

Rm 1116/01
INITIAL09/31/2002 500REGR, 00000019 09981331
01 FC:201
02 FC:203
03 FC:202
04 FC:205

COPY OF PAPERS
ORIGINALLY FILED

45

PTO/SB/10 (1-99)

Approved for use through 9/30/2000. OMB 0651-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|--|---|
| STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c)) -- SMALL BUSINESS CONCERN | | Docket Number (Optional) T6446.CIP2 |
| Applicant, Patentee, or Identifier: <u>Norris, et al</u> | | |
| Application or Patent No.: <u>09/981,331</u> | | |
| Filed or Issued: <u>October 16, 2001</u> | | |
| Title: <u>SONIC EMITTER WITH FOAM STATOR</u> | | |
| I hereby state that I am | | |
| <input type="checkbox"/> the owner of the small business concern identified below: | | |
| <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below: | | |
| NAME OF SMALL BUSINESS CONCERN <u>AMERICAN TECHNOLOGY CORPORATION</u> | | |
| ADDRESS OF SMALL BUSINESS CONCERN <u>13114 Evening Creek Drive South, San Diego, CA 92128</u> | | |
| I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20415. | | |
| I hereby state that rights under contract law have been conveyed to and remain with the small business concern identified above with regard to the invention described in: | | |
| <input type="checkbox"/> the specification filed herewith with title as listed above. | | |
| <input checked="" type="checkbox"/> the application identified above. | | |
| <input type="checkbox"/> the patent identified above. | | |
| If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). | | |
| Each person, concern, or organization having any rights in the invention is listed below: | | |
| <input checked="" type="checkbox"/> no such person, concern, or organization exists. | | |
| <input type="checkbox"/> each such person, concern, or organization is listed below. | | |
| Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27) | | |
| I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) | | |
| NAME OF PERSON SIGNING <u>James J. Croft, III</u> | | |
| TITLE OF PERSON IF OTHER THAN OWNER <u>Chief Technology Officer</u> | | |
| ADDRESS OF PERSON SIGNING <u>13633 Quiet Hills Drive, Poway, California 92064</u> | | |
| SIGNATURE <u>[Signature]</u> DATE <u>10/23/01</u> | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.